IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929

WP(C).No. 16898 of 2007(J)

PETITIONER:

M.MADHUSOODANAN PILLAI,
CHERUTHITTA PADINJATTATHIL, MYNAGAPPALLY
NORTH P.O., KARUNAGAPPALLY, KOLLAM DISTRICT.

BY ADV. SRI.V.PREMCHAND

RESPONDENTS:

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1. THE SENIOR GEOLOGIST, MINING AND
GEOLOGY, ASRAMAM, KOLLAM.

2. THE CIRCLE INSPECTOR OF POLICE,
SASTHAMCOTTA POLICE STATION, SASTHAMCOTTA.

ADDL.R-3. THE DISTRICT COLLECTOR, KOLLAM.

ADDL.R3 IS IMPLEADED AS PER ORDER ON I.A.NO.7970/2007
DTD.14.6.2007.

BY GOVT. PLEADER SRI.BENJAMIN PAUL.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 16898 OF 2007 - J

Dated this the 14th day of June, 2007

J U D G M E N T

The petitioner's vehicle bearing Registration No.KL-04-H-284 has been seized by the second respondent and handed over to the first respondent on allegation of transportation of river sand illegally. The petitioner seeks release of lorry.

2. The learned Government Pleader, on instructions, submits that final orders in this regard has to be passed by the additional third respondent.

3. In the above circumstances, the writ petition is disposed of with the following directions:

The first respondent shall forward the papers relating to the subject matter to the additional third respondent who shall take appropriate steps to pass final orders under the relevant statute. Pending passing of final orders, the petitioner would be given interim custody of the vehicle on condition that the petitioner deposits an amount of Rs.25,000/- (rupees twenty five thousand only) and produce proof of ownership of the vehicle. This is subject to further condition that the

petitioner shall not alienate or otherwise part with possession of the vehicle until final orders are passed by the additional third respondent.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007